THE RECORD OF A CIVILIAN.

A MAN WHO HAS STRENGTHENED AND NOT WEAKENED THE REPUBLIC.

His Pedigroe-The Struggles of a Poor Lawis Pedigroc—I as aircagas to the Interpret of the Prairies of Illinois—His Inti-pre on the Prairies of Illinois—His Inti-macy with Abroham Lincoln—His Tilt with Thuriow Weed—A Judge for More than a Quarter of a Century—His Record in the War—Civil Law versus Military Law. I.

One Davis, a Welshman, settled in Prince Beorge's County, Md., about the time of the old French colonial war in the last century. Prince George's County adjoins the District of Colum-The old Welshman left a fine form to his son, Naylor Davis. Naylor married a highly respected lady, and was the father of two sons and two daughters. The sons were David and Henry Lyon Davis. They received an excellent education. Henry entered the ministry.

and was afterward President of St. John's
College, And polis. He was the father
of the Hon. Henry Winter Davis, whose bril-Bant political career was cut short by an early death. David, a younger brother of Henry, ed the medical profession. He studied with the well-known Dr. Physic of Philadelphis, and began practice in Cecil County, on the eastern shore, in 1809. In 1811 he married Miss Ann Morcer, the daughter of an opulent farmer. Miss Mercer was educated in the Moravian school at Litiz, Pa. The school is still in existence. The Mercers were a family of unquestioned honor and integrity, and of uncommon energy. Dr. David Davis died in December, 1814, and was buried in St. Stephen's Church yard, on Sassafras Neck, near the res-idence of his father-in-law.

Rassafras Neck, Cecil County, is a strip of cich farming land, between two arms of the Chesapeake known as the Sassafras and Bobemia Rivers. Ceell is the northeastern county of Maryland. It produces no tobacco and is strictly a cereal district. The rivers are singgish and muddy. They rise in swamps and are navigable by stoops from ten to fifteen miles near the head of sloop navigation on the Sassafras. Here the Hon, David Davis was born, on March 9, 1815, over two months after the death of his father. He was a healthy and vigorous child. He developed no especial fond-ness for mischief. He seemed to be a natural product of the country where he was born. His disposition was as placed as the rivers that watered his father's farm, and his mind as fertile as the rich stretch of lands that

District schools were unknown. Old Squire

lay between them.

District schools were unknown. Old Squire Pierce, a magistrate, taught a private school in Cecilion, four miles from the Mercer homestend. Young Davis rode to and from the school on horseback. He quickly absorbed a primary education, and at the age of 10 was sent to the scadeny at Newark. Del. Here he was prepared for college by Parson Russell, a Presbyterian divine, and Principal of the academy from 1888 to 1839.

In September, 1828, when a boy 13 years and 6 months old, David entered Kenyon College, Gambler, Knox County, O. His mother's relatives were Episcopalians, and Bishop Chase of that denomination was President of the college. The expense of an education in Kenyon was much less than insimilar colleges in Maryland and Virginia. David's father had left behind him a mere pittance. The money for the boy's education was generously advanced by his mother's brother. Ex-Gov, Rutherford B. Hayes of Ohio, ex-United States Senator Stanley Matthews the Hon. John B. Cummings of Ohio, Commissioner Le Due of Washington, and the Hon. Edwin M. Stanton are graduates of Kenyon. Mr. Stanton was a schoolmate of Young David. The boys became intimate and through lifts their friendship was unbroken. David was sedate and popular. He was not cuarreisome. His fidelity to his playmates was universally remarked. All his actions were guided by a nice sense of honor. This controlling motive very nearly led to his expulsion. One Lloyd, a student substantial and investigation followed. Among other students David was questioned.

"The pour service of the before it was published?"
"I do," replied the student.
"Did you hear of it before it was published?"
"I did not." David answered.
"Since then have you learned the name of its suther?" questioned the Professor."
"I laye "responded the Marylander."
"I laye "responded the Marylander."

"I did not," David answered.
"Since then have you learned the name of its author," questioned the Professor.
"I have, "responded the Marylander,
"Who told you?" was the next question.
"The author himself," was the answer.
"Who is the author, sir ?"
"My honor forbids an answer," young David replied. The faculty threatened expulsion if he did not reply within a given time. Before the expiration of the time, however. Lloyd acknowledged the authorship of the offensive article, and was sent from the college in disgrace.

III.

Young David was graduated, at the age of 17 years and 6 months, on Sept. 4, 1832. The expense of his collegiate course, clothing and everything, for four years, was \$1,000. Within six weeks he entered the law office of Henry W. Bishop of Lenox, Mass. Mr. Bishop, a leading lawrer and Judge of Probate, was afterward a Judge of the Common Piens. He was an old sequaintance of David's mother, and gave the boy an opportunity to pay his way through work in the Probate office. In Maryland it required a goodly sum of money to matriculate and for this reason Massachusetts was chosen. David studied with Mr. Bishop two years, and then entered the law school at Yale College, Judges Daggett and Hitchcock were his in-structors. In my judgment, said David, Years afterward, Judge Hitchcock was the finest law instructor that ever drew the broath of life.

With a year in Yale Law School, the young an left prepared to enter upon the active ties of life. He turned his tace toward the set. Levi Davis, a schoolmate at Newark, L. was then Auditor of Public Accounts in hols. The State capital was Vandalla, either the legal fledgling tent his steps. He rived in Hilmais with \$50 in money and law oks valued at \$300, a git from his uncle. The untry was provided at was readily developing. ast young Davis, who had then barely

turned his twentieth year.

Set long afterward William Holland, a manoli wealth and position, prosecuted some young fellows charged with cutting down his orchard. The prosecution failed through a lack of evidence. The young fellows brought an action against Holland for malicious prosecution, and sued to recover damances. The case excited unusual interest. Holland retained young David searly in the winter, and David spent much time on the case. Never, said he afterward, the big lawyors from Springfield and the Military Tract were on the circuit. Holland legan to get shaky over the prospect, and authorized David to employ one of the big gains. He selected Cyrus Walker, a Kantuckian, as his associate, and slated the circuit. Holland legan to get shaky over the prospect, and authorized David to employ one of the big gains. He selected Cyrus Walker, a Kantuckian, as his associate, and slated the circuit. Cyrus said: Wiy, there's mithing for me to do here. All will have been continued to the case exactly as you have stated it here, and the cause is won. On the next day David launched himself on the sea of the law, He stumbled through one or two settleness, grew weak in the legs, and finally succumbed to stage fright. Fortunately Cyrus Walker had incroughly absorbed the case on the previous evening. He made a magnificent opening, giving young David full result for his work, and the case was won. David was so charined that for a time he threatened to guit practice. His pride, and this love for a beautiful girl in Lenox, Mass., to whom he was betreathed, herved him for a renewed effort. Malaria turked in the river towns. David had an attack of bilious fever and was brought to the door of dath. On recovering he he alied his helmes do and. On recovering he he halted his helmes. his twentieth year, ong afterward William Holland, a man-

gan the practice of law in Marshall, Putnam, Tazawell, McLean, Macon, De Witt, and Logan counties, and was reasonably successful.

On Oct. 30, 1838, David Davis married Miss Barah W. Walker, daughter of Judge Wm. P. Walker of Lenox, Mass. He had formed her acquaintance while a law student, six years before his marriage. Miss Walker was a brunette, and a woman of more than ordinary attainments. One of her sisters was married to Judge Rockwell of the Superior Court of Massachusetts, who represented the Berkshire Dis-trict ten years in Congress. A second sister sachusetts, who represented the Berkshire District ten years in Congress. A second sister
became the wife of Joseph H, Scranton, the
founder of the city of Scranton, Pa., and a third
sister was married to Mr. Williams of Stockbridge, Mass, Young Davis had no wild oats to
sow. He had saved a little money in his practice, and had invested it in land. He also owned
a snur frame house in Bloomington. Here his
wife was duly installed, and the youthful
lawyer settled down as a man of family.
Wales Colton, a brilliant young lawyer
from Lenox, became Mr. Davis's law partner.
The financial panic of 1837 checked omigration,
but the hard times were productive of much
law business, and the firm of Davis & Colton
were in domand. Lavis continued to invest his surplus earnings in land. His practice
was scattered in various counties until 1842,
when he began to confine himself to the Eighth
Circuit, comprising fourteen counties, a district as large as the State of New Jersey, If not
larger. Mr. Colton withdrew from the firm in
1844, and became a leading member of the St.
Louis bar. He was killed in that city when a
block of buildings was blown up in the great
fire of 1849.

David Davis visited Vandalia in the winter of 1836, while the Illinois Legislature was in session. The Hon. John T. Stuart was a member. One day Stuart Introduced the young lawyer to a tall, lanky Assemblyman, who had gained reputation in the Black Hawk war, and who had already served two terms in the Legislature. Awkward and ungainly, the man had wonderful mesmeric power. He had strong convictions, and his fidelity to his convictions was unswerving. He spoke fluently, and was regarded as one who was cutting a fair was unswerving. He spoke fluently, and was regarded as one who was cutting a fair swath in the Councils of the State. At that time he was reading law under the instructions of Mr. Staart and Judge Stephen T. Logan. His name was Abraham Lincoln. Young Davis was charmed by his conversation. A year or more afterward they met in an adjoining county, and their acquaintance was renewed. Lincoln had already begun his law practice, and was becoming a general favorite. The young men travelled together twice a year on the same circuit for eight years. The Judge was Samuel H. Treat, now Judge of the United States Circuit Court for Southern Hilmons. Both were Whigs. Douglas and Col. E. D. Baker were going over the same circuit. Lincoln immediately took the highest rank as an advocate. He became very much attached to Davis. Their families visited each other, and the warmest personal friendship existed up to the time of Lincoln's assassination. There were no railroads in those days. The lawyers rode from town to town on horseback, or were bounced over the prairie in buckboard warons. "They were the nappiest days of my life," said Davis, in later years. "Lincoln was full of fun and stories, but at times melancholic and taciturn. He was very self-reliant. I never knew him to consult any other lawyer than Judge Logan, He was kind to young lawyers. He never took advantage of their mistakes in pleading. Instead of exposing them, he privately pointed out the defects, and frequently corrected them with his own hand."

Davis was the opposite of Lincoln in practice.

manner. A Democratic Senator was elected by 150 majority. In 1842, Davis declined a nomination for the lower House. In 1844, when Polk and Dalias were sweeping the country, he came to the front among the Whige, and fought

came to the front among the Whirs, and fought his way into the Legislature. He served one term, and declined a renomination on the ground that his law practice was so valuable that he could not neglect it.

A Constitutional Convention was called in 1847. David Davis was elected a member without opposition. A new Constitution was adopted. Under its provisions the Judges were chosen by the people, and not by the Legislature. In 1848 Judge Treat was elected to the Supreme Court. The entire bar of the Eighth Circuit, headed by Abraham Lincoln, forces the nomination for the vacancy upon the Marylander, and he was elected without opposition. He was then 33 years old. The term of office was six years. Twice was Judge Davis unanimously reelected. He was Judge of the Eighth Circuit, including the city of Springfield, from 1848 to the fall of 1862.

His decisions on circuit were prompt and firm. Changes of venue in his court were far between. Few appeals were taken. His investigations were so thorough, his reasoning so conclusive, and his decisions so impartial, that further litigation was generally regarded as useless. In the fourteen years spent on this circuit no term of court was both by his absence.

between. Few appears were taken. Its livestigations were so thorough his reasoning so conclusive, and his decisions so impartial, that further litigation was generally regarded as useless. In the fourteen years spent on this circuit no term of court was lost by his absence. Neither bad roads nor swollen rivers provented him from opening court on the day appointed by law. His energy and industry knew no bounds. With deeply roads political convictions, the Judge was no partisan. Whigs and Democrats had the utmost confidence in his fairness and integrity.

The life had its physical hardships, but they were softened by scenes at the waveled inns. On the Walsash the Judge met Dan Voorhees and Joseph P. McDonald, now Senators from Indiana, Richard W. Thompson, now said to be Secretary of the Navy, the Hon. John P. Usher, and other master spirits of the Western bar. The lawyers often slept two and even three in a bed after an evening of social enjoyment. Lincoln was usually the star at these circles. His inexhaustible good humor, quaint sayings, and pithy reminiscences kept the party in a roar of laughter. The Judge, though not a professional story-teller, had a keen sense of humor, and enjoyed a yarn even when told at his own expense. He was a great reader. His saddlebags were filled with historical and biographical works. The Waverley novels, and "David Copperfield" were read with delight. Lincoln seemed to take no pleasure in reading. He gianced at the Waverley novels, and remarked that he would read them when he became older. He studied human nature, and was a man of practical observation. He also developed a nathematical turn of mind. "I remember," said Judge Davis, that while nearly all the lawyers on the circuit were in ecitasies over Macaulay's History, then just published, Lincoln was absorbed in the study of Euclid. Night after night he spent over the troblems, and finally demonstrated all of thom without the least assistance."

In court the Judge, turning to one of them.

"Ho you think just land ought to be

Then you think it would be a good thing for the boys?"

"Yes," said the witness.
"Do you think your testimony in this case is wholly disinterested?" Judge Davis asked.

"Yes, sir," the witness answored.
"Yes, sir," the witness answored.
"Don't you want to buy this land?" inquited the Judge. The speculator was silent. "Don't you expect to buy it?" persisted the Judge. He got no reply. Similar questions were put to the other witness with a similar result. Judge Davis then ordered the two speculators to stand up, and rebuked them in torms so severe that his words were quoted on the circuit for years. His action saved many estates from spoilation.

spoilation.
While Judge Davis was holding sourt in Champaign County, one Lindsey, by advice of his lawyer, pleaded guilty to an indictment for highway robbery. It was thought that the

Court would give bim the lightest sentence imposed by law. The crime, however, had no lentent features, and the character of "s perpetrator was very had. At the close of the term Lindsey was arraigned for sentence. The Judge alluded to the youth of the prisoner, and dwelt upon the snormity of his crime. He had robbed a helpless man of his hard-carned wages, and committed a crime that the law characterized as akin to murder. Gathering wrath and indignation as he proceeded, the Judge closed his philippic with the words. "Lindsey, I sentence you to seven years in the Illinois Legislature!"

Abraham Lincole was a quiet observer. He snose with a quaint gleam of humor on his face, and said: "May it please your Honor, as the friend of the Court, allow me to suggest that the Constitution does not permit cruel and unusual punishment. Your Honor has sent this man to the Legislature whon he ought to go to the penitentiar;"

"The difference is so slight that the Court has no lessination in adopting the suggestion of its learned and experienced adviser, "the Judge responded. Thereupon he imposed the full sentence of the law, and overybody laughed except the defendant and his counsel.

While overlooking with remarks in court, the Judge frowned at sayings tinced with blasphemy or vulgarity. A prosecuting withoss in an indictment for assault and battery was describing to the jury the evolutions of the fight."

"Stop," interposed the Judge. "I don't believe that Providence had much to do with that fight."

"Well, then," replied the witness, "as good luck would have it, I knocked him down."

"An, that phraseology is admissible," the Judge remarked, and the witness concluded his testimony.

An Illinois Republican State Convention met in Decatur on May 9, 1860. Its business was to nominate a candidate for Governor, and to select delegates to the National Republican Convention, to be held in Chicago. Judge Davis was holding court in Danville, near the Indiana line, A man was on trial charged with murder. Dan Voorhees was conducting the prosecution. The case was closed on the 8th. On that evening, at Abraham Lincoln's earnest solicitation, Judge Davis went to Decatur, Lincoin thought he saw an opening to the Republican nomination for the Presidency, and

Tremont House were the scene of unwonted activity. Every order was promptly executed. Lawyers acted as messengers and Judges watched the cars for belated delegates. Under Davis's guidance the work was thoroughly done. When he entered the city on Saturday night barely fifty wask-kneed delegates stood under the Lincoln flag. On the first ballot the Raiisplitter polled 102 votes to 173% for Seward and 48 for Bates. The lanky cohorts in the galleres nearly lifted the roof with their cheers. The second ballet gave Lincoln 181. Seward 184%, and Bates 35. Again the brawny friends of Old Abe roured with delight. The Seward men turned pale, and Thurlow's knees smote together as he saw the writing on the wall. Lincoln was nominated on the next ballet by a vote of 35% to 110% for Seward, and the whole State of Hilmols was thrown into cestasy. That night Judge Davis went to bed for the first time in six days. He had routed old Wurmser, and captured Mantua, at a total cost, all told, of \$700. "Well," said Wurmser to the Judge after the nomination, for a parcel of boys that never had any bandling, you've done well. I begin to think that we old fellows can learn something." Up to the time of the Convention the Judge had never attended a caucus or primary meeting.

Judge Davis went to Springfield on the next day, and had a long interview with Mr. Lincoln. The candidate offered to refund the \$700, but the Judge alate that his friends would not hear of it. Mr. Lincoln's friends urged Judge Davis to take the stump in his behalf. He did so, and made most effective speeches. Nor did he relax his exertions until the closing of the polls. Lincoln carried the State by a plurality of 11,945 over Douglas, and a majority of only 4.629 over all the candidates, in a popular vote of 339,693.

At the request of President Lincoln Judge

Davis accompanied him to Washington. He arrived in that city on Feb. 11, 1881, and remained until the 20th of March. During this time he was a close adviser of the President, He held frequent interviews with Seward and Douglas, was consulted in the selection of a Cabinet, and was instrumental in settling the trouble between Chase and Seward. His advice was also taken as to the course to be pursued toward the seconded and seconding States. Three weeks after Mr. Lincoln's inauguration he rereturned to his judicial duties in Illinois. His court adjourned at Urbana on Saturday. April 13. While on the train en route to his home in Bioomington he bought 8t. Louis newspapers containing accounts of the bombardment of Fort Sumter and the President's proclamation calling out 75,000 men. Illinois was at fever heat. Citizens, irrespective of party, assembled in mass meetings, and resolved to maintain the Union, Judge Davis presided over an immense gathering in Bioomington, at which prominent Democrats made war speeches. He gave himself, heart and soul, to the cause of the Union, Although not subject to a draft he provided a substitute, and had an open hand for needy and suffering solitiers.

That fall President Lincoln appointed the Judge one of the Commissioners to investigate the Fremont claims in Missouri, Gan. Fremont, while in command of the department, had made lavish expenditures, and the State was sown with Government vouchers. Judge Davis made a patient investigation, and returned an elaborate report favorable to all claims founded in justice and equity. Much money was saved to the Government. trouble between Chase and Seward. His advice

IX. While holding court in October, 1862, Judge

Davis received the following letter: DEAR DAVIS: I send you the enclosed commission,

which I hope you will accept. I would like to see you on private business this fall.

A Lincoln.

It was a commission as Justice of the Supreme Court of the United States to fill the vacancy left by Judge John A. Campbell of Alabama, who followed his State into the slough of secession. Judge Davis was thunderstruck. He had received no intimation of the intended honor. On the contrary, he had refused to have his name used in connection with the appointment, and had strongly favored the selection of Judge Stephen T. Logan. Judge Logan was not related to John A. Logan. Mr. Lincoln regarded him as the leading lawyer in the State. Judge Logan, however, and an exaited opinion of the

judicial capacity of Judge Davis, and of his worth as a man. He land written to Washington, urging the appelaimment of Judge Davis, and the President had taken his advice.

Judge Davis accepted the appointment. No man ever left the bench of a Sinte court amid more universal regret. Special meetings of the bar were held in various cities, and the highest encomiums were paid him by the lawyers who had practised in his court.

Judge Davis ascended the bench of the Supreme Court in Desember, 1862, and was made the Presiding Circuit Justice of the Indiana Illinois, and Wissonsin Circuit. He became very popular with both the bench and the bar. Although he lacked experience as a Judge of an appellate court, his first opinions attracted attention for their clearness and accuracy of judicial statement. They were regarded by the bar as fine specimens of judicial learning. He was one of the Judges who held that under the war power Congress had the right to make greenbacks a legal tender. The Justice delivered the opinion of the court in the celebrated will case of Mrs. Myra Clark Guines. Her rights had been the subject of prolonged litigation. The case involved curious questions of fact and law, and Judge Davis's admirable summary of the facts and determination of the law were quoted far and wide in this country and Europe.

A national interest was excited in the opinion rendered by Judge Davis in the case of the United States against the Union Pacific Railroad Company. The United States had issued \$100,000,000 in bonds to aid in the construction of the road. Under the act creating the company it was agreed that all compensation for services rendered the Government claimed that it had a right to retain the whole value of the service and apply it toward payment of the line company demanded the money from the Government for one-half the compensation for services rendered and only in additional necessities, and requiring national aid. He analyzed the legislation of Congress on the point at issue, and requiring value of the l

was unawortine. He spoke fluently, and was regarded as one who was cutting a first swatch in the Councils of the State. At that time he was reading law under the instructions of the state of the reading law under the instruction. He has been continued by his conversation. A year of the was to several the state of th counsel wanted the case brought before the full court, consisting of Judges Davis and Drummond. Judge Davis was then sitting in Springfield. The agitation was so great that preminent citizens of Chicago sent him despatches urging him to come to that city and sit in the case. He replied that if Judge Drummond wanted him to come and assist him he would do so. Judge Drummond made the request, and Judge Davis came to the city. Builetins announcing his arrival were conspicuously posted, and the excitement was somewhat allayed. The people felt that the Judge would render a decision in accordance with the law, uninfluenced by political feeling. While the case was on trial however. Burnside's order was rescinded by President Lincoln, and the troops were withdrawn from the newspaper office. It is not generally known that the Fresident's action was founded on a strong telegraphic protest from the Judge, forwarded from Springfield immediately after the seizure.

While always in favor of a vigorous prosecution of the war, Judge Davis heid that the military must be subordinate to civil power in States where there was no war. In some instances serious riots were prevented by his personal ciforts. Josiah Snow published the Central Illinois Times, an anti-war paper, in Bloominaton, in 1863. A mob destroyed his press, and threstened the editors with personal violence unless they took the eath of allegiance. Judge Davis mounted a box in front of the court house, and stemmed the tide. He defended the rights of the editors as citizens, and said that they were entitled to the protection of the law. The mob listened to him in silence, and released the men.

In October, 1864, Lamdin P. Milligan, a highly respectable citizen of Indiana; Col. Bowles, a veteran of the Mexican war, and one Horsey, a hostler, were tried by military commission, in Indianapolis, on a charge of treason, found guilty, and sentenced to death. Indiana was a peaceful State, and the laws had their full sway. The men belonged neither to the army nor the navy, and a Grand Jury of the Circuit Court of the United States was convened in Indianapolis at the time of the arrest. Joseph E. McDonald, now United States Senator from Indiana, was counsel for the three prisoners. Vainly he objected to the competency of the tribunal. He then went to Washington to see President Lincoln. "Mr. President," said " I don't think that you want to execute

"No. Joe." Mr. Lincoln replied, "I don't love

prisonment for life. But Bowles and Milligan must suffer."

Mr. McDonald begged a respite for two weeks, and returned to Indianapolis. But Andrew Johnson did not forget his pledge. Horsey's sentence was immediately commuted. Mr. McDonald reported the result of his mission to Judge Davis. Prompt action was required, for their was little hope of further loniency from the President. The Judge took advantage of his action in the case of Horsey. He laid the facts before Gov. Morton. He told him what he thought would be the opinion of the Supreme Court. Horsey's case was already on the docket with the others. If the opinion in Horsey's case was lavorable, and the other two men were executed before it was promutated, it would make their execution deliberate murder, and leave a lasting stain on the escutcheen of Indiana. Gov. Morton was too good a lawyer to hesitate. He turned the screw on the President, and the men were saved. The Supreme Court decided against the validity of the military commission, and Judgo Davis wrote the opinion. It will stand as long as the republic stands. The following are brise extracts:

The presence visites a vital question astited, not be a single daige at his creaming are brise extracts; the prisoner visites a vital question astited, not be sained daige at his creaming are brise extracts; the prisoner visites a vital question astited not have a lastic than because the Circuit Court consists of two Judges anstead of one. The Legislature of 1822 did not contemposate such are such for this purpose, and if they are ineffectual there is an immunity from marishment no matter how great an offender the individual may be, or how much his crimes may have shocked the scheen of particles of the country, or endangered its anterestic may and it bears for reference the contemposate with the particles and for the particles the extended to the country of endangered its anterestic may and the safe to the country of endangered its anterestic may and the safe to the country of endangered its anterestic may a prisonment for life. But Bowles and Milligan

sense of justice of the country, or endangered its anicty.

The Constitution of the United States guarantees the right of trial by jury. It is a law for rulers and gende, equally in war and in peace, and covers with the should of its protection all clusses of men, at all times and under all circumstances.

Every trial involves the exercise of judicial power. The Constitution vests this power in the courts, and it is not prefended that this milliary commission was a court reduced and established by Congress. They cannot justify on the mandate of the President, because he is controlled by law, and his suppropriate sphere of duty is to execute, not to make the laws.

The laws and usages of war can hever be applied to clitzens in States which have upheld the authority of the Government, and where the courts are open and their process unobstructed.

A guarantee of freedom is broken when a citizen is denied the right of trial by jury. Until recently in one even doubted that the right of trial by jury was fortified in the court of the country in the court of the country in the country is a controlled in a vistal principle underlying the whole of ministration of criminal jurisies. It is not had by sufferance, and cannot be fritered away on any plea of State or political necessity.

ministration of criminal justice. It is not haid by suffer-ance, and cannot be frittered away on any pice of State of political necessity.

Martial law cannot arise from a threatened invasion. The necessity must be actual and present; the invasion real, such as effectually closes the courts and deposes the civil administration.

All farmers in the West remember what are

pendents and Liberal Democrats telegraphed Judge Davis, asking him whether he would accept the position. He vouchsafed no reply. The office was entirely upsqueht. As it was known that he was desirous of quitting the bench it was thought that he might accept, and he was elected Senator. It afforded a change of labor and employment, and he accepted. He

labor and employment, and he accepted. He had not been a member of a legislative body in a quarter of a century. His mind and habits of thought had assumed a judicial cast, but he cerried into the Senate the industry and conscitantious devotion to duty that had marked his career. He was promptly placed on the Judiciary Committee and the Committee on the Revision of Laws. He is also a member of the Committee on Frivate Lands and of the Special Committee on Private Lands and of the Special Committee on Private Lands and of the sessions of the Senate, though he rarely participates in general debate. He is more of a worker than a talker. He zealously watches all legislation affecting the interests of the country, and does much work in committee. He took an active part with Judges Thurman and Christiancy in committee on what is known as the Thurman Funding bill, which forced the Pacific railroads to provide a sinking fund for the payment of their obligations to the Government at maturity. He made an argument on the power of Congress to emact the required legislation, and the Supreme Court has since sustained the constitutionality of the bill. Senator Davis has no love for the felled days of legislation, and the Supreme Court has since sustained the constitutionality of the bill. Senator Davis has no love for the field days of Congress, where political discussions call to the front members who are never heard at other times. He made a telling speech at the late extra session against the use of United States troops in elections, and is credited with the ablest argument on the Geneva Award bill. His speeches, like his opinions, are remarkable for clearness, brevity, and vigor. The learned and unlearned can readily comprehend their meaning.

XV. David Davis is 65 years old. His wife died about a year ago. The mention of her name brings tears to his eyes. He was a devoted husband. He has a son and a daughter. The son, George Perrin Davis, is a graduate of Williams College and of the Ann Arbor Law School. His health is poor, and he is now farming in Illinois. He is a Supervisor of the town in which his farm is situated, and has charge of his father's business. The daughter, Sarah,

"No. Joe." Mr. Lincoln replied, "I don't love blood at all. If other people loved it as little as I do, there would be no meat eaten in this world. I'll keep these ment in prison awhite, and then let them no.

Mr. Lincoln was about to release all political reisoners when here are all political prisoners when here are all political prisoners when here are all political prisoners when he had another the united States of Gircult Court, Judges Davis and Drummend, setting forth the facts, and praying for a writ of habeas corpus. Judges Davis favored the granting of a writ, and Judge Drummond diseased. Under an act of Congress passed in 1802, this disagreement sent the case to the full bench of the Supreme Court for review. Unmined cases on appeal had precedence in the Supreme Court. Judges Davis favored the granting of a writ, and Judge Drummond diseased. Under an act of Congress passed in 1802, this disagreement sent the case to the full bench of the Supreme Court for review. Unmined cases on appeal had precedence in the Supreme Court. Supreme Court is not most of the Supreme Court for review. Unimined cases on appeal had precedence in the Supreme Court. Supreme Court for review. Criminal cases on appeal had precedence in the Supreme Court for review. Criminal cases on appeal had precedence in the Supreme Court for review. Criminal cases on appeal had precedence in the Supreme Court. Supreme Court for review. Criminal cases on appeal had precedence in the Supreme Court. Supreme Court for review. Criminal cases on appeal had precedence in the Supreme Court. Supreme Court for for the facts of the Supreme Court. Supreme Court for review Criminal cases on appeal the form the Capital for the Supreme Court for few with a favore for the facts of the favore for the facts of the favore for favore for the favore for favore for favore for favore for favore for fav

FORGERIES DISCLOSED BY DEATH. Richmond City Startled by the Downfall et

RICHMOND, Va., March 14.-This community was startled this morning by a public announcement that Dr. Luther R. Dickinson, the editor and proprietor of The Planter and Farmer magazine, and a prominent citizen of Rich-mond, had been engaged for two years past in a systematic course of forgories, using the forged endorsements of Jeter & Dickinson, proprietors of the Religious Herald, to negotiable notes of his own, which he offered for discount at various banking institutions in this city, or sold to note brokers. He has also, for some time, possed endorsements of the Roy. Dr. George B. Taylor, Baptist missionary to Rome, Italy, and the Rev. Chas. E. Taylor, a professor in Wakeforest College, N. C., both of whom are his brothers-in-law. The fact that he was the brother of the Rev. Dr. A. E. Dickinson, junior member of the firm of Jeter & Dickinson, junior member of the firm of Jeter & Dickinson, and was otherwise so highly connected, dispelled all suspicion as to the genuineness of the forged signatures, and he might have continued his criminal operations for a long time to come, but for the recent death of the Rev. Dr. J. B. Jeter, senior member of the firm of Jeter & Dickinson, which event rendered impossible the further use of the firm name in negotiating loans to meet the forged notes, which were rapidly maturing. Settlement of the affairs of the deceased Dr. Jeter led to the discovery of the forgeries. The forger, finding that a disclosure of his many crimes was about to be made, left the city last Thursday, estembly on business, since which time he has not been heard from. He left behind the following letter:

An investigation into the forgeries show that they will aggregate \$28,000 or more.

HELP FOR IRELAND.

Gen. Butler's Lecture-The Parnell Commi tee Organizing-St. Patrick's Day.

Gen. Butler has delivered his lecture on The Irish Soldier in America" a great many

shain Junius Recommender of the matth she id exerted her influence upon him until she id used him to abandon his wife and to change is residence to Brooklyn, where he sould be ear the defendant, and that the estrangement I his affections from his wife has continued ince. A number of letters from Mrs. Paasch is Reimann, captured by the latter's wife and ransisted by her counsel, M. L. Towes, will be ntroduced as evidence. Mrs. Paasch is about 10 years old, and has had two husbands. Breimann is 43 years old.

THE STRANDED MONTANA.

Her Pilot Asleep when the Ship Struck-Fears LONDON, March 14 .- The lights of the Montana were seen by a tug which was in the neighborhood, and it immediately went to the assistance of the steamer, arriving alongside at about 5 o'clock. The mails and lurgage were at once got up, and at 6 o'clock the tug started for Holyhead, with the purser, doctor, part of the crew and the remaining passengers, and, the crew and the remaining passengers, and, taking on board the other passengers who had landed at Holyhead, returned to Liverpool. The pilot was asbeen below when the ship struck. The passengers speak in the highest terms of the conduct of the officers and crew. At the latest accounts the fore part of the vessel was fast on the rocks and the after part affort. The fore compartment was full of water. Three tags have been sent from Liverpool to the assistance of the Montana. Capt. Price, Superintendent of the Guion line, is at the scene of the disaster, and will calcavor to first the vessel. It is feared, however, that she will become a total wrock, but it is hoped that all of the cargo will be saved. The boof will certainly be saved.

HAWLEY'S RESIGNATION.

Quitting the Treasury After Casting his Po-

WASHINGTON, March 14 .- The news of the resignation of Assistant Secretary of the Treasury Hawley is received with great pleasure by the heads of the different bureaus. In the department Hawley has been an extremely un-popular officer. His position, however, has popular officer. His position, however, has been an unusually difficult one to fill. He has conducted the details of appoisments to subordinate offices under the department. Sherman has placed upon Hawley's shoulders a great deal of the work of providing places for the persons who were engaged in the electoral francis in Louisiana and Flortda in 1876. Mr. Hawley performed this disagreeable dary to the best of his ability. Recently the ex-Assisiant Socrotary entertained hopes of being the Republican candidate for Gevernor of Hilmos. He beamed convinced that Grant was to be the candidate of Hilmos Republicans for the Presidency, and he therefore placed his political fortunes in the third-term boat. This policy was distasteful to Sherman, and they part without any considerable anguish.

PHILADELPHIA, March 14.-Charles Catheart FRILADELPHIA, MAYER IX.

Taylor, city editor of the Tiese, died to-day from the
effects of a pistol short discharged by his own hand white
his a first mountal aberration. Mr. Taylor had been in it.

Boston, March 14. - George H. Hammond ommitted micide last night by leanging. He was a well known actor under the stage name of deorge H. Hillman, and played for a long time with Yankee Locks. He was the father of "Lattle Hillmans."

PETERSBURG, Va., March 14.-A disease known

The Most Rapid Cures at Trifling Cost Are made by the American "Star" Soit Capsules. All

LOCKED OUT PIANOMAKERS.

WORKMEN'S HARD WORDS AGAINSS THEIR FORMER EMPLOYERS.

Great Sunday Mass Meeting in the National Assembly Rooms-The Skops that are to be Closed and those that will Hemnin Open, A crowded meeting of planomakers took place yesterday in the National Assembly Rooms in Forty-fourth street, to hear reports regarding the lockout by the leading manufacturers, which is to take place this morning on account of the refusal of Steinway & Sons' strikers to make terms with their late employers on Saturday. Men were stationed at the door to count those who entered, and the number exceeded 3,000. So dense was the mass that the proprietor, foaring that his floor would fall, requested the police in attendance to prevent the entrance of any more visitors. The request was re-scinded on finding that arrivals had coased. The Chairman recapitulated the history of the strike, stating that the 600 men of Steinway & Sons' factory had fraternally ceased work, in sympathy with 68 varnishers who could not upon their small wages, and that, when the firm were found to be immovable in their refusal, notice was sent that, unless the advance was accorded by a given time, the entire body of journeymen would demand an additional 10 per cent. on the wages lately paid them.

Reports were called from the different shops of the city as to whether the employers had given the men notice on Saturday night that they would close to-day, and it was found that Messrs. Albert Weber, William E. Wheelock. Sohmer & Co., George Steck & Co., Joslah King & Co., Joseph P. Hale, Haines Brothers, J. & C. Fischer, Decker & Son, Henry Behning, Billings & Co., C. D. Peas & Co., and James & Holmstrom had done so, but that Decker Brothers, Hazieton Brothers, Bacon & Karr, Dielmann & Funck, Hardman & Co., William Young & Co., William Schasffer, Dunbam & Sons, Henry Behr, R. W. Smith, Christie & Co., Calenberg, Vaupel & Co., Cable & Sone, Henry Wenzel, James B. Nugent, Grovesteen & Fuller, All farmers in the West remember what are known as the Granger cases. The pioneer case was developed in Wisconstin. It was a question as to windtow the Lorisiature of the Lorisiature of the Constitution of the Constitution of the Lorisiature of the High surferers, and under the surferers and the surferers and under the surferers and under the surferers and under t and Lighte & Ernst had announced their inten-tion of continuing open. Solimer & Co., it was

should be kept in tuture by plane workers as a holiday, when their annual ball should take place.

Speeches were also made by delegates from the Cabinetmakers', Silk Weavers', and United Barmakers' Unions, tendering sympathy and financial aid. Resolutions were reassed detailing the causes of the strike as above, and denying that Steinway & Sons had been asked for \$10 a week for apprentices, as they had stated, insamuch as competent men were receiving only \$9. The firm was charged with causing the lock out of others through a misropreseptation of facts in order to break the union. The demands of their men were characterized as entirely just, and the action of the lockers out as without reason and unjustifiable. It was resolved to support Steinway & Sons men in their original request. It was announced that the Executive Committee would sit in Teutonia Hall at 6 o clock this evening to receive reports of delegates from the different shops, and then proceed to the meeting of the union at about 7 in Turtle Bay Hall. Committees from several of the locked-out shops were shops, and then proceed to the meeting of the union at about 7 in Turtle Bay Hell. Committees from several of the locked-out shops were announced to hold goselons after the meeting at different points. The several foremen of Kranich & Bach afterward held a corretage sion, in which the invitation of the clebty-three locked-out workmen to join them was discussed. It was decided to continue working, as they were entirely satisfied with their employers and their pay. The Manufacturers Association will hold a sosion this afternoon. The moment is a very serious one, both to employers and employed.

The German Tailors' Union No. 1, which claims to consist of mon from the best shops, was formed yesterday at 65 Avenue A cleeting Jacob Uniz President and John Jocknar Secretary. Delegates were present from a number of manufacturing German tailors, who lately formed an association at 10 Stanton street. They offered to consolidate with the union, but the inter refused, and shad that it intonled inviting their employees to join them. The union itentis demanding an advance of 25 per cont. On present wares, but proposes first to strengthen its organization.

Scarlet fever and whooping cough exist to a considerable extent among the children of the east side to unusual number of cases of measies has also been reto asytum of the Sisters of St. Dominic, in Second street, ers select with a mild type of searlet fever and whoop-

Only One Beath in the Family in 05 Years. ORISKANY, N. Y., March 14. The survivors of

Sand Stealers on Long Island.

Many tons of sand are stolen yearly from pris vale property on the north share of the island, the Satur-day Other Lucas of Gien Cove went to Centre Island to arrest the Cantain and craw of a vessel that were ing said from the beach. There were severe more than the work are severe in the came was them. As he was after a the came was them. As he was after a was her fragile and a ruled awa her fragile of said.

He Would Hather Have the \$10.

When Michael English, who was arrested in Figst street. Brooklyn for intoxication, was taken be-fore Justice Walsh on Salurday, he was still strongly us-

Fearls with weak lungs should slways no Hale's Honey of Horehound and Tar By druggles, 500 and \$1 Pike's Touthache Brops cure in one minute. -Ale.